

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

No. 4:98-CR-00013-M

TERRANCE LAMONT MOORE,

Petitioner,

v.


UNITED STATES OF AMERICA,

Respondent.

ORDER

This matter comes before the court on Petitioner's motion for reconsideration of the court's order denying his motion for compassionate release [DE 274]. Petitioner has also appealed that order. DE 267. "Generally, a timely filed notice of appeal transfers jurisdiction of a case to the court of appeals and strips a district court of jurisdiction to rule on any matters involved in the appeal." *Doe v. Pub. Citizen*, 749 F.3d 246, 258 (4th Cir. 2014). Because Petitioner's appeal is pending, this court "lack[s] authority to grant [his] motion, but [it is] permitted to defer considering the motion, deny the motion, or issue an indicative ruling." *United States v. Bunch*, 828 F. App'x 185 (4th Cir. 2020) (referencing Fed. R. Crim. P. 37(a)). Pursuant to Rule 37(a)(1), the court will defer consideration of Petitioner's motion for reconsideration while his appeal is pending.

SO ORDERED this 4th day of March, 2024.


RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE